(61) (62)

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A. No. 03 of 2002

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

APPELLANT NON-APPLICANT : Shri Krishna Kumar Agrawal
S/o Khajan Chand Agrawal
Resident of Village Binia P.O.-Argoti, Ambikapur.

VERSUS

RESPONDENTS APPLICANTS :
1. Smt. Usha Biswas
W/o Shri Vijay Biswas
Aged about 25 years
2. Mas. Vikram Biswas
S/o Late Vijay Biswas
Aged about 4 years
3. Ku. Meetali Biswas
D/o Late Vijay Biswas
Aged about 2 years

(All residents of Gram Mahavirpur, P.O. Ajaynagar, Tahsil-Surajpur, District-Sarguja)
4. C.S.E.B. through its Chairman C.S.E.B., Raipur.
5. Addl. Superintendent Engineer, C.S.E.B., Ambikapur.

Present:
Shri P.S.Koshy, counsel for the appellant.
Shri D.N.Prajapati, counsel for the respondent No.1.
Shri Ghanshyam Patel, counsel for the respondent No.4 & 5.

ORAL ORDER
(Passed on 3rd April, 2007)

Shri P.S. Koshy, learned counsel for the appellant submitted that the entire amount of compensation as also the amount of penalty awarded by the Commissioner for Workmen's Compensation, has been deposited by the appellant before the Commissioner for Workmen's Compensation, Labour Court, Ambikapur and the same has been disbursed to the legal representatives of the deceased who are the respondents No.1 to 3 herein.

Shri D.N.Prajapati, learned counsel for the respondents No.1 to 3 admits the above and submits that before the Commissioner for

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Workmen's Compensation, Labour Court, Ambikapur he would not claim any amount other than the amount of compensation and penalty already deposited by the appellant herein and received by the respondents No.1 to3.

In view of the submission of learned counsel for the respondents No.1 to 3, learned counsel for the appellant seeks permission to withdraw this Miscellaneous Appeal.

Permission is granted.

Accordingly, this Miscellaneous Appeal stands disposed of.

Certified copy as per rules.

In view of above, M.(C.)P.No.1437 of 2002 for condonation of delay also stands disposed of.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Tumane